

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN RE: NATIONAL COLLEGIATE) Docket No. 13 C 9116
ATHLETIC ASSOCIATION STUDENT-)
ATHLETE CONCUSSION INJURY)
LITIGATION) Chicago, Illinois
February 26, 2020
9:05 o'clock a.m.

TRANSCRIPT OF PROCEEDINGS - STATUS
BEFORE THE HONORABLE JOHN Z. LEE

APPEARANCES:

For the Plaintiffs: HAGENS BERMAN SOBOL SHAPIRO, LLP
BY: MR. DANIEL J. KUROWSKI
455 North Cityfront Plaza Drive
Suite 2410
Chicago, Illinois 60611

For the NCAA: LATHAM & WATKINS, LLP
BY: MR. ROBERT C. COLLINS, III
330 North Wabash Avenue, Suite 2800
Chicago, Illinois 60611

Court Reporter: MR. JOSEPH RICKHOFF
Official Court Reporter
219 S. Dearborn St., Suite 2128
Chicago, Illinois 60604
(312) 435-5562

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PROCEEDINGS RECORDED BY
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1 THE CLERK: 13 CV 9116, NCAA Student-Athlete
2 Concussion Injury Litigation.

3 MR. KUROWSKI: Good morning, your Honor, Daniel
4 Kurowski for plaintiffs and settlement class.

5 MR. COLLINS: Good morning, your Honor, Robert
6 Collins on behalf of the NCAA.

7 THE COURT: Good morning.

8 So, I reviewed the motion and the status report
9 submitted by the parties. The request for \$10,000 for search
10 engine advertising, basically -- for lack of a better word --
11 looks fine to me. And, so, that's approved.

12 So, can you tell me where we stand on the rollout?

13 MR. KUROWSKI: Certainly, your Honor.

14 The parties are continuing efforts to work through
15 the various issues. It's our understanding that the
16 questionnaire will be available -- the screening questionnaire
17 is going to be launched -- in approximately three, four weeks
18 time. And once that that -- and at the same time, the --
19 Epiq, the Medical Monitoring Program administrator, is
20 currently working with the Medical Science Committee and
21 various neuropsychologists in order to make sure that the
22 scoring and the parameters associated with that screening
23 questionnaire is as it should be.

24 Once that process is launched, it's available to
25 class representatives, and then they will be able to -- once

1 scored, then consistent with the timing requirements under the
2 settlement, they'll be able to determine the eligibility for
3 subsequent neuropsychological exams and related tests.

4 At the same time, it's also my understanding that
5 Epiq is in the process of dotting the T's and crossing the I's
6 with respect to the various provider contracts it will need to
7 have in place in order to do that.

8 I think one of the benefits of having Epiq as our
9 settlement program administrator is there's certain, I think,
10 economies of scale that are operating here because Epiq is
11 also the program administrator with respect to the NFL
12 concussion settlement; and, as part of that settlement,
13 they're also -- there's a network of providers that have --
14 are undergoing -- one of the benefits to settlement class
15 members is a baseline assessment program and they see
16 neurologists and neuropsychologists. So, there's experience
17 and contact with those individuals. So, I think that's
18 helping, as well.

19 THE COURT: Okay.

20 And, then, as far as the media campaign or the public
21 announcements, when are they scheduled to go -- I know some of
22 them have already gone out. When are the bulk of them
23 scheduled to go out?

24 MR. KUROWSKI: I'd say it's sort of a little bit of
25 both, your Honor. In terms of our perspective, from my firm,

1 our press release has issued already. And we began -- and I
2 think they should be completed at this point -- a rollout on
3 our firm's social media pages over a three-day period.

4 In addition, Epiq -- as of yesterday, they were
5 reporting that they were going to receive the 17,000 list of
6 individuals on the settlement Web site's "Contact Us" page.
7 So, your Honor may or may not recall there's a "Contact Us" on
8 the settlement page, and it allows somebody to put their
9 e-mail address and then they're added to the list. Well, that
10 list is approximately 17,000.

11 They have a list of a thousand ready to go. The
12 infrastructure in order to send the e-mails out in place. The
13 parties have had a back-and-forth discussion in terms of what
14 that notice should look like, and everybody's agreed onto it.
15 And, so, it's my understanding that an initial batch of 1,000
16 of the 17,000 should issue shortly.

17 And, then, approximately three to four days after
18 that, the additional remaining 16,000 or so will be issued
19 subsequently. And the reason, I understand, for the delay is
20 it will allow Epiq in order to ensure that they have call
21 center staffing appropriately.

22 And, then --

23 MR. COLLINS: Yeah --

24 MR. KUROWSKI: -- Mr. Collins will be in a position
25 in terms of the NCAA's role.

1 MR. COLLINS: Right.

2 To add to that, your Honor, the NCAA issued a press
3 release on February 19th. They also issued that out on their
4 Twitter page on the same day. And we worked with class
5 counsel on the press release and on the release of that. So,
6 we were aligned on the releases that went out.

7 We also -- or the NCAA also updated its Web site so
8 that it reflected the launch of the Medical Monitoring
9 Program. And, then, linked to that Web site or the updated
10 settlement Web site that Epiq is now sponsoring, we -- I think
11 we were here before that actually launched. So, the Epiq Web
12 site was updated and did launch by February 18th, as required
13 by the settlement agreement. And, so, now class members can
14 go on and register to get information about the questionnaire
15 when that comes out.

16 And we do understand from Epiq that they have
17 identified potential or likely providers in all of the areas
18 in the regions. And we are now working with Epiq on providing
19 any input that the parties have on the contract that the --
20 that Epiq is trying to enter into with the providers.

21 THE COURT: Okay. It sounds like things are
22 progressing.

23 Let's set this case for further status in about --
24 let's say in about six months, so that I can just kind of keep
25 a tab on how things are going. We'll set this case for

1 further status the first week in September.

2 MR. KUROWSKI: Your Honor, we have an existing
3 status, I believe, on July 8th.

4 THE COURT: I'm going to go ahead and strike that
5 status date.

6 MR. KUROWSKI: Okay.

7 THE CLERK: September 2nd at 9:00 o'clock.

8 MR. KUROWSKI: Thank you.

9 MR. COLLINS: Thank you, your Honor.

10 THE COURT: Thank you.

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13 I certify that the foregoing is a correct transcript from the
14 record of proceedings in the above-entitled matter.

15 /s/ Joseph Rickhoff
16 Official Court Reporter

March 3, 2020

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